

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

GERALD NELSON, ET AL.,

vs.

AMERICAN STANDARD, INC. d/b/a
TRANE CORP.

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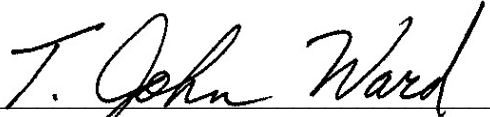
CASE NO. 2:07-CV-010

ORDER

The above-entitled and numbered civil action was heretofore referred to United States Magistrate Judge Chad Everingham pursuant to 28 U.S.C. § 636. The report of the Magistrate Judge, which contains his proposed findings of fact and recommendations for the disposition of such action, has been presented for consideration. The undersigned has reviewed the parties' objections to the Magistrate's Report and Recommendation, and is of the opinion that the findings and conclusions of the Magistrate Judge are correct. Therefore, the court hereby adopts the report of the United States Magistrate Judge as the findings and conclusions of this court.

Accordingly, the court grants conditional certification for Trane's 8 facilities located in Texas, Louisiana, Arkansas, Florida, and Georgia. The court also orders the parties to meet and confer on the form of the notice for prospective plaintiffs, as well as the content and operation of a website, to be maintained by the plaintiffs' counsel, that provides information about this action to the putative plaintiffs. The parties are ordered to notify the court within 30 days of any remaining disputes in this regard. The court also orders Trane to provide the plaintiffs' counsel with the names, home addresses, home telephone numbers, social security numbers, and dates of birth of the potential plaintiffs, as described herein, in accordance with the terms of the protective order in this case. Such disclosure shall occur within 20 days.

SIGNED this 31st day of March, 2008.



T. JOHN WARD
UNITED STATES DISTRICT JUDGE